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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>	<b>Attorney Docket No.</b>	16518.070
	<b>First Inventor</b>	JoAnne FILLATTI
	<b>Title</b>	Nucleic Acid Sequences and Methods of Use for the Production of Plants with Modified Polyunsaturated Fatty Acids
	<b>Express Mail Label No.</b>	

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>  1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <span style="border: 1px solid black; padding: 0 5px;">44</span>]</span> <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> 4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">[Total Sheets <span style="border: 1px solid black; padding: 0 5px;">  </span>]</span> 5. Oath or Declaration <span style="float: right;">[Total Pages <span style="border: 1px solid black; padding: 0 5px;">  </span>]</span> <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <small>(for a continuation/divisional with Box 18 completed)</small></li><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></li></ul> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	<b>ADDRESS TO:</b> Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450  7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li><li>b. Specification Sequence Listing on:<ul style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input checked="" type="checkbox"/> paper</li></ul></li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul> <b>ACCOMPANYING APPLICATIONS PARTS</b> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input checked="" type="checkbox"/> Other: <u>a copy of an executed Revocation of Prior Power of Attorney, Appointment of New Attorneys of Record and Change of Correspondence Address filed in parent application serial no. 09/638,508; an Appointment of Associate Attorneys; and a courtesy copy of a Petition for Extension of Time filed in parent application serial no. 09/638,508</u>
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18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)

of prior application No: 09 / 638,508

Prior application information: Examiner E. McElwain

Group / Art Unit: 1638

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

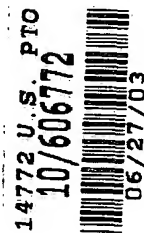
<b>19. CORRESPONDENCE ADDRESS</b>				
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		<b>28381</b>	or <input type="checkbox"/> Correspondence address below	
<small>(Insert Customer No. or Attach bar code label here)</small>				
Name				
Address				
City	State	Zip Code		
Country	Telephone	Fax		

Name (Print/Type)	David R. Marsh/Lisa A. Penoyer	Registration No. (Attorney/Agent)	41,408/51,204
Signature		Date	June 27, 2003

# ARNOLD & PORTER

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202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206



June 27, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Continuation Application based on U.S. Application  
No. 09/638,508 filed August 11, 2000  
Appln. No.: To Be Assigned  
Filed: Herewith  
For: Nucleic Acid Sequences and Methods of Use for the Production of  
Plants with Modified Polyunsaturated Fatty Acids  
Applicant: JoAnne J. FILLATTI  
Atty Docket: 16518.070

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office (PTO):

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Continuation Application entitled:  
**Nucleic Acid Sequences and Methods of Use for the Production of  
Plants with Modified Polyunsaturated Fatty Acids**  
and naming as inventor:  
**JoAnne J. FILLATTI;**  
the application consisting of:
  - a. a specification containing:
    - (i). 27 pages of a description prior to the claims;
    - (ii). 16 pages of claims (48 claims);
    - (iii). a one (1) page abstract;

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Commissioner for Patents

Atty. Docket: 16518.070

June 27, 2003

Page 2

- (iv). 11 pages of a paper copy of the sequence listing;
3. a copy of the executed Declaration and Power of Attorney filed in parent application serial no. 09/638,508;
  4. a copy of an executed Revocation of Prior Power of Attorney, Appointment of New Attorneys of Record and Change of Correspondence Address filed in parent application serial no. 09/638,508;
  5. a Preliminary Amendment;
  6. an Appointment of Associate Attorneys;
  7. a courtesy copy of a Petition for Extension of Time filed in parent application serial no. 09/638,508; and
  8. two (2) return postcards.

This application is a continuation of U.S. Application No. 09/638,508 filed August 11, 2000, which claims the benefit of U.S. Provisional Application No. 60/172,128, filed December 17, 1999 and U.S. Provisional Application No. 60/151,224, filed August 26, 1999.

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

Applicant requests that the following fees be charged to Deposit Account No. 50-2387 referencing docket number 16518.070:

<u>\$ 750.00</u>	application filing fee
<u>\$ 858.00</u>	additional claims fee

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicant does not believe any fees, other than the above fees (\$1,608), are due in conjunction with this filing. However, if any additional fees under 37 C.F.R. §§ 1.16 or 1.17

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Commissioner for Patents

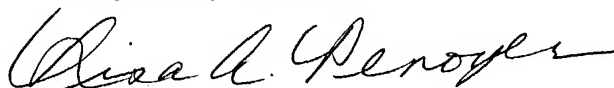
Atty. Docket: 16518.070

June 27, 2003

Page 3

are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387 referencing matter number 16518.070. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Lisa A. Penoyer (Reg. Agent No. 51,204)

David R. Marsh (Reg. Attorney No. 41,408)

Enclosures